

WEST BOUNTIFUL CITY

ORDINANCE #333-11

AN ORDINANCE AMENDING THE WEST BOUNTIFUL CITY MUNICIPAL CODE TO INCLUDE CHAPTER 17.34, COMMERCIAL HIGHWAY (C-H) ZONE WITH ITS RESPECTIVE LANGUAGE

WHEREAS, the West Bountiful City Council recognizes the need to establish a new commercial zone in appropriate locations, typically along highways, where a combination of business, construction related and other commercial activities may be established; and

WHEREAS, regulations of this district are designed to provide a safe and suitable environment for those commercial uses that provide service to the surrounding community. Regulations include specific landscape, site design and set-back requirements; and

WHEREAS, the West Bountiful City Planning Commission held a public hearing, after proper notice, on September 15, 2011, and received no objection to the proposed changes.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF WEST BOUNTIFUL CITY, UTAH, THAT CHAPTER 17.34 OF THE WEST BOUNTIFUL MUNICIPAL CODE BE ESTABLISHED AS INDICATED IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 4th day of October, 2011.

By: _____

Ken Romney, Mayor

Attest:

Heidi Voordeckers, City Recorder



Voting by the City Council:	Aye	Nay
Councilmember Preece	<u> X </u>	<u> </u>
Councilmember Shaw	<u> X </u>	<u> </u>
Councilmember Bruhn	<u> X </u>	<u> </u>
Councilmember Baza	<u> X </u>	<u> </u>
Councilmember Tovey	<u> X </u>	<u> </u>

West Bountiful Municipal Code

Chapter 17.34 HIGHWAY COMMERCIAL DISTRICT, C-H

Sections:

- 17.34.010 Purpose.
- 17.34.020 Permitted uses.
- 17.34.030 Conditional uses.
- 17.34.040 Prohibited uses.
- 17.34.050 Area and frontage regulations.
- 17.34.060 Yard regulations.
- 17.34.070 Height regulations.
- 17.34.080 Off-street parking.
- 17.34.090 Development standards.

17.34.010 Purpose.

The highway commercial (C-H) district is intended to provide areas in appropriate locations where a combination of business, construction related and other commercial activities may be established, maintained and protected. Regulations of this district are designed to provide a safe and suitable environment for those commercial uses that provide service to the surrounding community.

17.34.020 Permitted uses.

The following uses are permitted in the C-H highway commercial district:

- A. Appliance and small equipment repair;
- B. Lawn and yard Care;
- C. Printing and publishing;
- D. Offices, business and professional;
- E. Silk-screening;
- F. Public and quasi-public facilities not prohibited in Section 17.34.040;
- G. Convenience store;

- H. Contractor offices, including but not limited to general, electrical, mechanical, heat, ventilation and air conditioning, plumbing, and landscaping; and
- I. Indoor storage units.

17.34.030 Conditional uses.

The following uses are conditional in the C-H highway commercial district:

- A. Liquor, retail, package store;
- B. Drinking places with alcoholic beverages;
- C. Motor vehicle sales and service (excluding auto body repair) and outdoor storage of retail vehicle inventory;
- D. Reception center, meeting hall;
- E. Marine and aircraft retail sales and accessories;
- F. Lumber and other building materials retail sales;
- G. Custom woodworking (as approved by the fire marshal);
- H. Warehousing, as a primary use, unless prohibited in Section 17.34.040;
- I. Car wash as ancillary to a convenience store;
- J. General merchandise sales;
- K. Outdoor storage of equipment, landscaping materials and seasonal inventory incidental to an approved permitted or conditional use;
- L. Indoor fabrication, machining or welding of materials or equipment not for resale;
- M. Equipment sales, service and/or repair, including outdoor repair and welding; and
- N. Other commercial businesses which are similar to those listed in this section and Section 17.34.020, as determined by the planning commission.

17.34.040 Prohibited Uses.

The following uses are prohibited in the C-H highway commercial district:

- A. Salvage yards;
- B. Parts yards;
- C. Residential dwelling units;
- D. Motor vehicle warehousing, salvage, or storage (whether indoor or outdoor);

- E. Recycling centers/recycling collection areas;
- F. Rehabilitation/treatment centers, transitional housing, residential facilities for elderly persons, residential facilities for persons with a disability, boarding homes, and any other facility subject to the regulations of Chapter 17.84 of this title;
- G. Schools and churches;
- H. Storage of petrochemicals, not for retail sales;
- I. Correctional facilities or facilities with similar uses;
- J. Sexually oriented businesses; and
- K. Single retail unit space over seventy-five thousand (75,000) square feet.

17.34.050 Frontage regulations.

Each individual lot in the C-H district shall provide at least one hundred (100) feet of frontage on any side abutting an arterial or collector street. No frontage requirement shall apply to sides of lots abutting other streets.

17.34.060 Yard regulations.

The following regulations apply in the C-H highway commercial district:

- A. Front Yard. The minimum front yard setback for all structures shall be twenty-five (25) feet;
- B. Side Yard. The minimum side yard setback for all structures in a C-H zone shall be ten (10) feet except when the planning commission determines a zero to ten (10) foot lot line is desirable or appropriate, whereupon the request will become a conditional use and shall require approval of the planning commission. Where the parcel abuts any residential zone or predominantly residential area, a side yard of at least thirty (30) feet shall be provided on that side adjacent to a residential zone/area. The side yard requirement adjacent to a residential zone may be modified if approved by the planning commission. On corner lots, the side yard which faces the street shall not be less than twenty (20) feet for all structures.
- C. Rear Yard. The minimum rear yard setback for all structures in a C-H zone shall be twenty (20) feet, except when the planning commission determines a zero to twenty (20) foot lot line is desirable or appropriate, thereupon the request will become a conditional use and shall require approval of the planning commission. Where the parcel abuts a residential zone or predominantly residential area, a rear yard of thirty (30) feet shall be provided. The rear yard requirement adjacent to a residential zone/area may be modified if approved by the planning commission.
- D. Required side and rear yard areas may be used for driveways or parking provided that trees and shrubs of sufficient size and quantity are installed to assure a visual screen from abutting residential properties.

17.34.070 Height regulations.

No structure shall be erected to a height greater than sixty (60) feet without review and specific approval by the Planning Commission.

17.34.080 Off-street parking.

- A. Off-street access and parking shall be provided and designed as specified in Chapter 17.52.
- B. No parking space shall be provided that would allow a vehicle to back out directly into a public street.
- C. If parking is located in the front yard, there shall be a minimum of ten (10) feet of landscaping between the property line along the roadway and the parking stalls.
- D. Parking lots shall be provided with landscaping along the periphery of any boundary that abuts a public road or residential zone.

17.34.090 Development standards.

- A. Site Plan. A site plan for all phases of the proposed development shall be presented to the City for review and approval, as provided in the land development code.
- B. Landscaping.
 - 1. A landscaping plan shall be submitted to and approved by the City as a part of the site plan review;
 - 2. No less than twenty-five percent (25%) of the front set back shall be landscaped. All landscaped areas shall be landscaped with a mixture of grasses, ground cover, shrubs and trees, and may include sculptures, fountains and patios. Unimproved areas (raw ground) without native trees will not count toward such landscaping requirement;
 - 3. All landscaping shall be adequately irrigated and maintained in a healthy, neat and attractive manner; and
 - 4. The City may require a performance bond or cash deposit, in an amount estimated by the City as equivalent to the cost of the required landscaping, to assure installation of required landscaping within six months of approval date. A building permit shall not be granted until receipt of such bond or deposit.
- C. Design Standards.
 - 1. The required minimum front setback may be reduced by ten feet (10') if the entire setback area incorporates manicured landscaping and berming;
 - 2. Building exterior materials facing the public road shall be eighty-five (85%) percent brick, stone, stucco, glass, colored decorative block or cement fiberboard, or stone aggregate; and
 - 3. All outdoor storage must comply with Section 17.92 of this code. If allowed, all outdoor storage shall be screened from public view and shall be located in the side or rear yard, provided that landscaping may be used in conjunction with berms, walls and fences to screen outdoor storage areas from public view.